

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

MONA G. ROLLINS)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 1:07cv770-SRW
) (WO)
MICHAEL ASTRUE,)
Commissioner of Social Security,)
)
 Defendant.)

ORDER

Plaintiff brought the present action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision by the Commissioner of Social Security denying her benefits under the Social Security Act. On February 7, 2008, on the motion of the Commissioner, this court reversed the decision and remanded the case for further proceedings pursuant to sentence four of § 405(g). Plaintiff has filed an application for an award of attorneys fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d)(1)(A). Plaintiff’s application seeks fees in the amount of \$1,367.92 and costs in the amount of \$350.00. The Commissioner does not contest the petition and requests that this court award fees and costs in the amount sought by plaintiff’s counsel. Additionally, in view of plaintiff’s assignment of the EAJA award to her counsel, the Commissioner does not object to payment of the EAJA award directly to counsel as plaintiff’s assignee. (See assignment attached to Doc. # 19, assigning EAJA attorney fees and costs to attorney). Upon an independent review of the record, the court concludes that the position of the Commissioner in this litigation was not

substantially justified, and further that the amount of fees sought by plaintiff's counsel is reasonable.

For the foregoing reasons, it is

ORDERED that the plaintiff's EAJA motion (Doc. # 19) is GRANTED, and plaintiff is awarded EAJA fees in the amount of \$1,367.92 and costs in the amount of \$350.00, both payable directly to plaintiff's counsel, Georgia Ludlum, as plaintiff's assignee.

DONE, this 12th day of August, 2008.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
CHIEF UNITED STATES MAGISTRATE JUDGE